

**RESOLUTION BY
COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

01- R-0419

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RESTATED AGREEMENT FOR DISPOSITION OF LAND, BY AND BETWEEN THE CITY OF ATLANTA, GEORGIA AND GREATER MOUNT CALVARY BAPTIST CHURCH TO AMEND THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF PHASE II, AND FOR OTHER PURPOSES.

WHEREAS, on August 13, 1982 the City of Atlanta ("City") entered into an Agreement for Disposition of Land ("Agreement") with Greater Mount Calvary Baptist Church, whereby the church would purchase and develop property located at 388 Glenn Street, SW in the Mechanicsville Urban Redevelopment Area, located in the City of Atlanta; and

WHEREAS, pursuant to the terms of the Agreement, the property was to be developed in two phases, with Phase I consisting of the construction of a parking lot and fence and Phase II consisting of the construction of a new church, and only Phase I has been completed to date; and

WHEREAS, the City Council has granted two extensions of time for completing Phase II in February, 1992 and again in September, 1996; and

WHEREAS, Greater Mount Calvary Baptist Church has experienced a decline in membership where the construction of a new church is no longer desired nor feasible; and

WHEREAS, the Agreement sets forth certain terms and conditions for the development of Phases II, including dates for construction, and the church and City desire to amend certain of these terms and conditions.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That the Mayor is hereby authorized to execute a Restated Agreement amending the Agreement for Disposition of Land between the City of Atlanta and Greater Mount Calvary Baptist Church dated August 13, 1982, releasing Greater Mount Calvary Baptist Church from the development obligations for Phase II and accepting the completed Phase I improvements as full satisfaction of the development agreement.

Section 2. That the City Attorney is hereby directed to prepare the appropriate contractual amendment to the Agreement for Disposition of Land for execution by the Mayor, to be approved by the City Attorney as to form.

Section 3. That the Restated Agreement shall not become binding on the City and the City shall incur no liability under it until such Transfer of Interest and Restated Agreement has been executed and delivered to the contracting parties.

TRANSMITTAL FOR LEGISLATION

To Mayor's Office Greg Pridgeon
(for review & distribution to Executive Management)

Commissioner Signature [Signature]

Director Signature Philip Smith

From: Originating Dept. Planning, Development
& Neigh. Conservation

Contact (name) Philip Smith

Committee of Purview Community Development
& Human Resources

Committee Deadline 3/2/01

Committee Meeting Date(s) 3/14/01

City Council Meeting Date 3/19/01

CAPTION:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RESTATED AGREEMENT FOR DISPOSITION OF LAND, BY AND BETWEEN THE CITY OF ATLANTA, GEORGIA AND GREATER MOUNT CALVARY BAPTIST CHURCH TO AMEND THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF PHASE II, AND FOR OTHER PURPOSES.

BACKGROUND/PURPOSE/DISCUSSION:

This legislation will release Greater Mount Calvary Baptist Church from its development obligations for Phase II of Agreement for Disposition of Land. As the church is tax exempt the failure to construct Phase II improvements will not have a financial impact on the City.

FINANCIAL IMPACT (if any): None

OTHER DEPARTMENT(S) IMPACTED:

Coordinated Review With:

Mayor's Staff Only

Received by Mayor's Office: 2/26/01
(date)

Reviewed: JP
(initials) (date)

Submitted to Council:

Action by Committee: ☐ Approved ☐ Adversed ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other